

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN

VERNON SMITH,

Plaintiff,

v

Case No. 08-14117

Hon. Patrick J. Duggan

MICHIGAN TUBE SWAGERS  
& FABRICATORS, INC., d/b/a  
MTS SEATING,

Defendant.

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**STIPULATION BETWEEN PLAINTIFF AND DEFENDANT**  
**DISMISSING CASE WITH PREJUDICE**

Plaintiff, Vernon Smith and Defendant, Michigan Tube Swagers & Fabricators, Inc., d/b/a MTS Seating, by and through their undersigned counsel, hereby stipulate and agree as follows:

1. The Plaintiffs claims are dismissed with prejudice.

Date: December 31, 2009

/s/Lawrence J. DeBrincat  
Lawrence J. DeBrincat (P43338)  
DeBrincat and Padgett  
Attorney for Defendants  
34705 W. Twelve Mile Road, Suite 311  
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Date: December 31, 2009

/s/Nicholas Roumel  
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**ORDER OF DISMISSAL WITH PREJUDICE**

THIS MATTER having come before the Court on the Stipulation of the parties, the Court having read and reviewed the Stipulation, and being otherwise fully advised in the premises; IT IS ORDERED:

1. The Plaintiff's claims are dismissed with prejudice.

S/Patrick J. Duggan  
Patrick J. Duggan  
United States District Judge

Dated: January 4, 2010 January 4, 2010

I hereby certify that a copy of the foregoing document was served upon counsel of record on January 4, 2010 January 4, 2010, by electronic and/or ordinary mail.

S/Marilyn Orem  
Case Manager

Order approved as to form and for entry:

/s/Nicholas Roumel  
Nicholas Roumel (P37056)  
Carrie Harp (P70401)  
Attorney for Plaintiff

/s/ Lawrence J. DeBrincat  
Lawrence J. DeBrincat (P43338)  
Attorney for Defendant